

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2349-01
Bill No.: HB 7
Subject: Health Care; Health Care Professionals; Nursing and Boarding
Type: Original
Date: September 10, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government			

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Prosecution Services**, the **Department of Mental Health**, the **Department of Economic Development**, and the **State Public Defender** state this proposal would not fiscally impact their agencies.

Officials from the **Office of Attorney General** assume that any potential costs arising from this proposal could be absorbed with existing resources.

Officials from the **Secretary of State Office (SOS)** state this proposal modifies various provisions relating to the protection of the elderly and would result in the Department of Health and Senior Services promulgating more rules. These rules would be published in the *Missouri Register* and the *Code of State Regulations*. Based on experience with other divisions, the rules, regulations and forms issued by the Department of Health and Senior Services could require as many as 38 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in the *Missouri Register* as in the Code because cost statements, fiscal notes and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the *Missouri Register* is \$23. The estimated cost of a page in the Code is \$27. The actual cost could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded or withdrawn. The SOS estimates the cost for FY 04 only to be \$2,337.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Public Safety - Missouri State Highway Patrol (MHP)** state that the MHP's Criminal Records and Identification Division is currently conducting background searches for employment purposes, thus the impact would be minimal.

MHP's Division of Drug and Crime Control assume that most investigations would be handled by local law enforcement agencies. If the MHP would conduct the investigations, the MHP would have an unknown fiscal impact.

ASSUMPTION (continued)

Officials from the **Department of Labor and Industrial Relations (DOL)** assume the proposal provides contributing employers, who are currently charged for benefit payment because an individual was not discharged for misconduct connected with the work, will not be charged for benefit payment if the employer was required by law to discharge the individual, because the individual was placed on a disqualification list after being hired.

DOL states unemployment benefits are paid from the Unemployment Compensation Trust Fund (UCTF). The UCTF is funded by all contributing employers and by employer payments for benefit charges. Although the proposal would not change the amount of benefits paid, it no longer provides the charging mechanism for replenishing the fund. The cost of benefits would reduce the balance of the UCTF, which would contribute to future rate increases to all contributing employers if the balance reaches certain levels. The DOL states this could have a potential impact of over \$100,000 to the UCTF, however, the exact amount is unknown.

The Division of Employment Security (DES) is not able to identify current claims (that meet the proposed conditions) to estimate and project the amount of impact to the UCTF. The negative impact would also depend on the weekly benefit amounts payable, number of weeks claimed and other unknown factors.

Information Systems estimates the change to the benefit charging provisions would require 280 hours of computer programming to the nonmonetary and charging process in the existing system at \$49.22 per hour. This would be an estimated one-time start up cost of \$13,782, which would have a negative impact on Federal Funding. The DES assumes the cost for changing and printing notices and pamphlets would be part of the normal cost of operations.

The DES states that allowing the Department of Health and Senior Services to provide investigative information relating to the circumstances of an individual's separation could better equip the DES when investigating misconduct connected with the work, when subject employers are not in a position to provide the information at the time of DES's investigation. The DES is not able to predict what impact this may have.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Administrative penalties may affect small businesses.

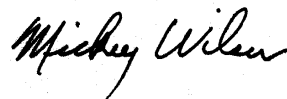
DESCRIPTION

This proposal modifies various provisions relating to the protection of the elderly.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Prosecution Services
Department of Mental Health
Department of Economic Development
State Public Defender
Office of Attorney General
Office of Secretary of State
Department of Public Safety
Missouri State Highway Patrol
Department of Labor and Industrial Relations



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